**HON'BLE SRI JUSTICE R.SUBHASH REDDY**

**WRIT PETITION NO :13452 of 2007**

**Dated 5th Spetember, 2007**

Between
M/s. Raja Rao Electrical Works,
rep. By its Proprietor G.Ratna Kumar

…Petitioner

and

Transmission Corporation of AP Limited,
Somajiguda, Hyderabad, rep. By its Chairman
And Managing Director, and, ors

…Respondents.

**THE HON'BLE MR JUSTICE R.SUBHASH REDDY**

**WRIT PETITION NO : 13452 of 2007**

**ORDER:**

The petitioner, an electrical contractor, has filed this Writ Petition seeking Writ of Mandamus to direct the respondents to extend forthwith the period of contract in respect of the works covered by L.S. Agreement No. 89/2005-2006 for operation and maintenance of 132 KV sub-station, situate at Peddavagi of West Godavari District.

Pursuant to the tender notice issued by the respondents, inviting tenders for operation and maintenance of 132 KV sub-station at Peddavagi, the petitioner participated in the tender process and works were awarded to it. It is stated that though the period of contract is from 1-7-2005 to 30-6-2006, however, the same was extended up to 30-6-2007. It is the case of the petitioner that the original agreement was for

a period of one year, and, as the sub-station was commissioned and charged only on 23-5-2007, representation was filed on 22-6-2007 seeking to extend the period of contract to make good the period of one year as per the original agreement. It is the grievance of the petitioner that as the sub-station was commissioned only on 23-5-2007, he could not execute the works as per the agreement, within a period of one year.

At the stage of admission, this Court by order dated 2-7-2007 directed the respondents not to finalise fresh tenders and further to continue the existing arrangement.

In the counter affidavit filed on behalf of the respondents, it is stated that the petitioner failed to supply the required personnel and in that view of the matter fresh tender notification was issued.

It is to be seen that initially, as per the agreement entered into, the period of contract was one year commencing from 1-7-2005 to 30-6-2006. However, as the sub-station was commissioned and charged only on 23-5-2007, the petitioner made a representation on 22-6-2007 seeking extension of the contract period and allow him to continue for a period of one year as per the initial agreement terms. It is submitted by the learned Standing Counsel for the respondents that pursuant to the representation of the petitioner, no orders have been passed.

Whether the petitioner is entitle to be continued or not, and, whether the period of contract can be extended or not, are the matters for the respondents to decide and this Court cannot issue positive directions for continuation of the petitioner as such. However, as much as the representation of the petitioner dated 22-6-2007 is pending consideration, I dispose of the Writ Petition directing the respondents to consider the representation of the petitioner dated 22-6-2007 and pass appropriate orders. It is made clear that till appropriate orders are passed on the representation of the petitioner dated 22-6-2007, the existing arrangement shall be continued.

Subject to the above direction, the Writ Petition is disposed of.

No order as to costs.

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*JUSTICE R. SUBHASH REDDY*

DATE: 5-9-2007.
Msnr.